

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

YASER EDDMEIRI,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

Case No. CI 13-_____

COMPLAINT AND PRAECIPE

COMES NOW the Plaintiff, Yaser Eddmeiri, and for his cause of action against the Defendant states:

1. Plaintiff is a resident of Lincoln, Lancaster County, Nebraska. Plaintiff entered into a contract with Defendant Metropolitan Life Insurance Company (MetLife) for short term and long term disability insurance. Plaintiff was also an employee of MetLife, working in sales in and about Lincoln, Omaha and greater Nebraska.
2. Defendant MetLife is an insurance company registered to do business in the State of Nebraska, C.T. Corporation System, 1024 "K" Street, Lincoln, NE 68505 is its registered agent.

Breach of Contract

3. Plaintiff was employed by MetLife from 1990 through February 2013. During said employment, Plaintiff purchased short and long term disability policies from the Defendants. At the time of purchase, the Plaintiff would receive sixty-six percent of his salary if he became unable to perform his duties due to sickness, accidental injury, or both.

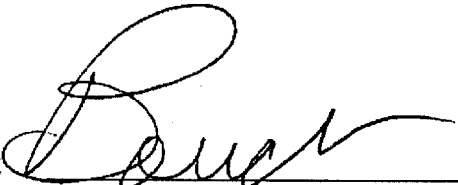
4. During his employment, Plaintiff suffered severe emotional distress caused by the conditions of his employment, including unlawful harassment due to his national origin (middle-eastern descent), age, disability (anxiety and depression) or all of the above.
5. Plaintiff submitted substantial and overwhelming proof of disability to Defendant from multiple reputable doctors, specialists, and healthcare professionals.
6. Plaintiff received short term disability benefits which eventually stooped/halted before the full benefit period.
7. After the Defendant unilaterally ended the Plaintiff's short term disability benefits, Defendant denied Plaintiff long term disability benefits, and then denied any future claims.
8. As part of his agreement with the Defendant, Plaintiff was required to follow the internal procedure of the Defendant and to administratively appeal any denial. Plaintiff has appealed the denial of insurance claims through MetLife's procedure. Plaintiff exhausted his administrative remedies with respect to his claim for short and long term disability benefits.
9. At this time, Defendant has only paid the Plaintiff some of his short term disability benefits, and none of his long term benefits as required by the contract, and therefore, has breached the contract. Further, Defendant will be unjustly enriched if permitted to retain premiums that were paid.

10. Plaintiff is entitled to short and long term disability benefits, as defined in the terms and conditions of the policy.
11. Due to Defendant's breach of contract, the Plaintiff suffered damages in the form of lost benefits, lost income, and mental anguish & suffering.
12. Plaintiff has not waived any claim to benefits. He is not estopped from asserting a claim for benefits because he has complied with the contractual requirements of his short and long term care plans. He has received appropriate care and treatment for benefits to continue under the contract.

WHEREFORE Plaintiff prays for a judgment against the defendant for breach of contract; for damages due to said breach of the agreement; for the prejudgment interest and post judgment interest pursuant to statute; for costs and attorney's fees expended herein and for such other relief as this Court may deem just and equitable.

DATE: 5-21-13

YASER EDDMEIRI, Plaintiff

BY: 

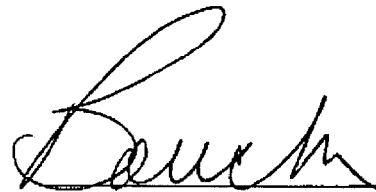
Richard L. Boucher, #16202
BOUCHER LAW FIRM
5555 S. 27th Street, Ste. A
Lincoln, NE 68512
(402) 475-3865
Attorneys for the Plaintiff

PRACIPE

TO THE CLERK OF THE ABOVE COURT:

Please issue a summons in the above matter and deliver the same to Richard L. Boucher, Boucher La Firm, 5555 s. 27th Street, Ste. A, Lincoln, NE 68512 in order that he may, in accordance with Nebraska Revised Statutes, serve a copy upon the Defendant through their agent C.T. Corporation System, 1024 "K" Street, Lincoln, NE 68508.

The summons, along with a copy of this complaint, shall be served upon the Defendant via certified mail.


Richard L. Boucher, #16202

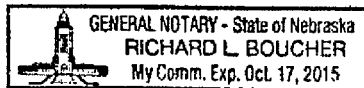
VERIFICATION

STATE OF NEBRASKA)
)ss.
COUNTY OF LANCASTER)

I, Yaser Eddmeiri, being duly sworn on oath, state that I have read the foregoing COMPLAINT, and that the allegations contained therein are true and correct to the best of my knowledge and belief.


Yaser Eddmeiri

Subscribed and sworn before me this 21 day of May, 2013.





Notary Public

Image ID:
D00401354D02

SUMMONS

Doc. No. 401354

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Yaser Eddmeiri v. Metropolitan Life Insurance Company

Case ID: CI 13 1848

TO: Metropolitan Life Insurance Com

You have been sued by the following plaintiff(s):

Yaser Eddmeiri

Plaintiff's Attorney: Richard L Boucher
Address: West Gate Bank Building, Suite A
5555 S 27th Street
Lincoln, NE 68512
Telephone: (402) 475-3865

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MAY 21, 2013

BY THE COURT:

John Kirkland
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Metropolitan Life Insurance Com
C/O C.T. Corporation System
1024 K Street
Lincoln, NE 68508

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

BOUCHER LAW FIRM
 WEST GATE BANK BUILDING
 SUITE A
 5555 SOUTH 27TH STREET
 LINCOLN, NEBRASKA 68512-1647

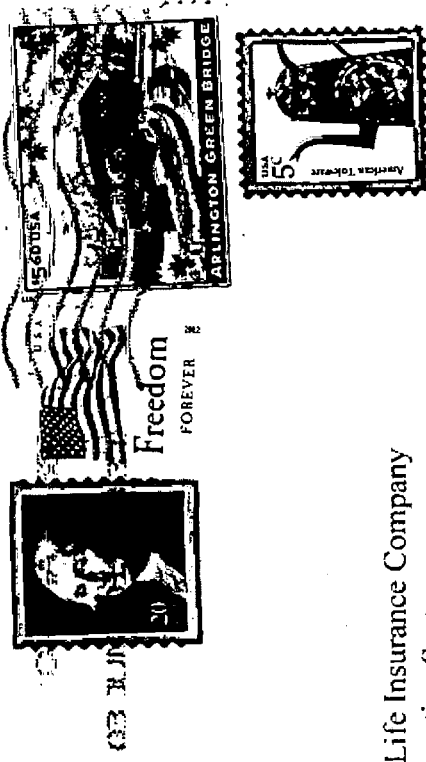
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ANNIVERSARY

CERTIFIED MAIL™



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Metropolitan Life Insurance Company
 c/o C.T. Corporation System
 1024 K Street
 Linc

* 681 MSE 1 3131 84 06/04/13
 NEW ADDRESS
 C.T. CORPORATION SYSTEM
 9003 OLD CHEROKEE RD STE 300
 LINCOLN NE 68516-3591

BC: 68516359175 *1535-01961-04-02

68516@3591

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